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Attorney's Docket No.: C1104/7061 2875

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alfred D. Ducharme, et al.
Serial No.: 09/716,819
Confirm. No.: 9031
Filed: November 20, 2000
For: SYSTEMS AND METHODS FOR GENERATING AND MODULATING
ILLUMINATION CONDITIONS
Examiner: Y. Quach Lee
Art Unit: 2875

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 18th day of December, 2003.

Jeanne W. Chub

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Transmitted herewith are the following documents:

- [X] Response to Office Action mailed December 4, 2003
- [X] Copies of Revocation of Prior Powers of Attorney and New Power of Attorney and Certification under 37 C.F.R. 3.73(b) originally filed on July 28, 2003
- [X] Copy of IDS and stamped post card dated October 7, 2002
- [X] Copy of PCT publication WO 00/14705
- [X] Copy of Plaintiff's Answer to Counterclaims, Case No. 6:02-cv-270-ORL-19JGG
- [X] Copy of Plaintiff's Answers to Defendant's First Set of Interrogatories, Case No. 6:02-cv-270-ORL-19JGG
- [X] Copy of IDS and stamped post card dated October 27, 2003
- [X] Copy of IDS and stamped post card dated November 10, 2003
- [X] Copy of IDS and stamped post card dated November 24, 2003
- [X] Return Receipt Postcard

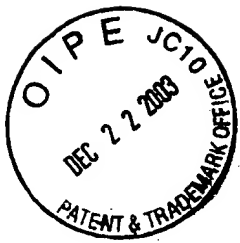
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch are respectfully requested to contact the undersigned at (617) 395-7000, Cambridge, Massachusetts.

No fee is enclosed. If there is any fee required in connection with this response, the Commissioner is hereby authorized to charge the balance to Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,
Alfred D. Ducharme, et al., Applicants

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Dated: December 18, 2003
735457.1



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Joanne Chub

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed December 4, 2003 in the above-identified application, Applicants respectfully request reconsideration.

Preliminarily, Applicants respectfully point out that the correspondence address has changed in this application, pursuant to a Revocation of Prior Powers of Attorney and New Power of Attorney filed on July 28, 2003 (copies attached hereto). Accordingly, Applicants respectfully request that all further correspondence in this application be mailed to the correspondence address indicated on the New Power of Attorney.

Applicants note with appreciation that the Examiner has deemed the application virtually to be in condition for allowance. In the present Office Action, the Examiner merely has pointed out some informalities with respect to Information Disclosure Statements (IDSs) filed in this application. Each of these informalities is addressed in turn below.

First, the Office Action indicates that the IDS of October 7, 2002 allegedly has not been provided, and hence has not been considered. Applicants respectfully point out that in a response filed on August 22, 2003 to a prior Office Action dated May 22, 2003, Applicants provided a copy of the October 7, 2002 IDS together with the stamped post card indicating receipt of this IDS by the PTO. For the Examiner's convenience, Applicants again have attached here a copy of the October 7, 2002 IDS and the corresponding stamped post card.

Second, the present Office Action indicates that the reference WO 00/14705 listed on the IDS of November 7, 2002 allegedly was not provided with the IDS. Accordingly, Applicants have attached here a copy of this reference for the Examiner's consideration.

Third, the Office Action indicates that two court documents cited in the IDS of October 29, 2003 allegedly were not provided with the IDS. Accordingly, Applicants have attached here copies of these documents (Plaintiff's answer to Counterclaims and Plaintiff's Answer to Defendant's First set of Interrogatories w/Exhibit 1) for the Examiner's consideration.

Fourth, in item 5 of the Office Action, the Examiner indicates that a number of foreign language references cited in the IDS of October 29, 2003 have not been considered because allegedly no explanation of the relevance of these references was provided in the IDS. Applicants respectfully disagree, and direct the Examiner's attention to Part III on page 3 of this IDS. In particular, Applicants explained that the foreign language references in question were brought to the Applicants attention in at least one of five oppositions filed against a European counterpart to U.S. Patent No. 6,016,038 (U.S. Serial No. 08/920,156). The European counterpart is EP Patent No. 1,016,062, EP Serial No. 98944539.0. The present application and U.S. Serial No. 08/920,156 currently are assigned to Color Kinetics, Inc. Furthermore, the present application incorporates by reference the entirety of U.S. Serial No. 08/920,156. Accordingly, Applicants respectfully submit that the foregoing provides a concise explanation of the relevance of these foreign language references as presently understood. Therefore, Applicants respectfully request consideration of these references by the Examiner.

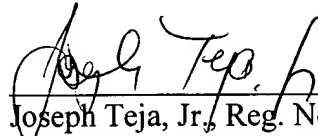
Finally, Applicants bring to the Examiner's attention that three additional IDSs, respectively filed on October 23, 2003, November 7, 2003 and November 20, 2003, were filed in the present application, but apparently not considered by the Examiner. Applicants have attached here copies of each of these IDSs together with the stamped post card corresponding to

each IDS, indicating receipt by the PTO. Applicants respectfully request that these IDSs also be considered by the Examiner.

If the Examiner has any questions in connection with the foregoing, the Examiner is encouraged to contact the undersigned at the number listed below.

Respectfully submitted,

Alfred D. Ducharme, et al., Applicants



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Dated: December 8, 2003